UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,940	01/15/2004	Stephen G. Moore	14846-25	4644

7590   10/28/2010
MICHAEL B. JOHANNESEN, ESQ.
LOWENSTEIN SANDLER PC
65 LIVINGSTON AVENUE
ROSELAND, NJ 07068

EXAMINER
CHEUNG, MARY DA ZHI WANG

ART UNIT	PAPER NUMBER
3694	

MAIL DATE	DELIVERY MODE
10/28/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 May 2010*.
2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7-13,15 and 16* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-5,7-13,15 and 16* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to applicant's filing on May 7, 2010. Claims 1-5 and 7-

13 and 15-16 are pending and examiner below. Claims 6 and 14 are canceled. Claims

1-5, 7-13 and 15-16 are amended.

Response to Arguments

2.   Applicant's arguments with respect to claims 1-5, 7-13 and 15-16 have been

considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1, 4-5, 7, 12-13 and 15-16 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Potter, US Patent 5,787,402 in view of Charette, US Patent

Application Publication 2002/0069114, and in further view of Lewis, US Patent

Application Publication 2004/0162772.

        As to claim 1, Potter teaches a computer implemented method for pricing a trade

comprising (abstract):

- Receiving trade data entered into a programmable computer by a user

    (column 13 lines 34-43 and Fig 24);

- transmitting said trade data to a pricing system via a computer network

    (column 4 line 45 - column 5 line 35 and Figs 1-2).

- storing said trade data in a database of said pricing system and comparing said trade data against said database (column 7 lines 53-56 and column 8 lines 34-41).

- receiving pricing data corresponding to said trade data, wherein pricing data is manually entered by the user via the programmable computer or transmitted from said pricing system (column 7 line 35 – column 8 line 5 and Fig. 24); *"pricing data" corresponds to the information related to pricing entered by the user, such as currency amount, spot rate in Potter's teaching*); and

- displaying said trade data and corresponding pricing data on a computer screen (see column 8 lines 1-5).

Potter does not specifically teach transmitting the trade data <u>via email or an email attachment</u>. However, this matter is taught by Charette as transmitting trade data via emails (¶ 10, 64). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the computer network in Potter's teaching to include the feature of transmitting trade data via email as taught by Charette so that the buyer and seller would have better acknowledgement for the trade.

Potter in view of Charette does not specifically teach comparing the trade data against the database to <u>prevent duplicate trade data entries</u>. However, this matter is taught by Lewis as comparing data with against the information stored in database to prevent duplicative entries (¶ 127). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow Potter in view of Charette to

include the feature of comparing data to the database to prevent duplicative entries as taught by Lewis for ensuring accuracy of the data.

As to claims 4 and 12, Potter in view of Charette and Lewis teaches said trade data is entered from the user's treasury system and wherein said method further comprises translating said trade data into a form suitable for use in said programmable computer, and email or email attachment (inputting information, see Potter col 3, line 22. Note that the input action translates the conceptual order, including the goals and aims of the purchaser, into the specific inputs to be processed by the system).

As to claims 5 and 13, Potter in view of Charette and Lewis teaches wherein displaying trade data and corresponding pricing data comprises displaying said translated trade data (transaction view, see Potter: col 10, lines 51-60 and Fig 18).

Claim 7 is rejected based on the same rationale as used for claim 1 above.

As to claim 15, Potter in view of Charette and Lewis teaches executing one or more trades using said trade data stored at said pricing system (the FX Trade Server sends a copy of the trade to the Multibank Confirmation and Settlement System, see Potter col 8, lines 19-67).

As to claim 16, Potter in view of Charette and Lewis teaches a computer implemented method for pricing a trade comprising:

- receiving trade data entered into a programmable computer by a user ((Potter: column 13 lines 34-43 and Fig 24),

- transmitting said trade data to a pricing data via email or an email attachment (Potter: column 4 line 45 - column 5 line 35 and Figs 1-2;

Charette: ¶ 10, 64; see claim 1 above for rationale supporting

obviousness, motivation and reason to combine);

- storing said trade data in a database of said pricing system and comparing

  said trade data against said database to prevent duplicate trade data

  entries (Potter: column 7 lines 53-56 and column 8 lines 34-41; Lewis: ¶

  127; see claim 1 above for rationale supporting obviousness, motivation

  and reason to combine);

- receiving pricing data corresponding to said trade data, wherein pricing

  data is manually entered by said user and displayed with said trade data

  and corresponding pricing information devoid of encrypting and decrypting

  on a computer screen or wherein pricing data is received from a pricing

  system and displayed with said trade data and corresponding pricing

  information on a computer screen (Potter: column 7 line 35 – column 8

  line 5 and Figs. 15-16, 24; note there is no encryption or decryption taking

  place).

5.   Claims 2-3 and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Potter in view of Charette and Lewis, and in further view of Official Notice.

        As to claims 2-3 and 8-11, Potter in view of Charette and Lewis does not

explicitly teach encrypting the email or email attachment before transmitting, decrypting

the email or email attachment after receiving. The examiner takes Official Notice it is

well known in the art to encrypt data before transmitting and decrypting the data after

receiving. It would have been obvious to one having ordinary skill in the art at the time

of Applicant's invention to have provided Potter in view of Charette and Lewis with the

well known encryption and decryption features for securing the transmitted data.

Inquire

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to MARY CHEUNG whose telephone number is (571)272-

6705. The examiner can normally be reached on Monday – Thursday from 10:00 AM to

7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, James Trammell, can be reached on (571) 272-6712.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

The fax phone numbers for the organization where this application or

proceedings is assigned are as follows:

(571) 273-8300   (Official Communications; including After Final

Communications labeled "BOX AF")

(571) 273-6705   (Draft Communications)

/Mary Cheung/
Primary Examiner, Art Unit 3694
October 26, 2010